

Joint Merseyside and Halton Waste Local Plan (WLP) Adoption of Plan

1. Purpose of the Report

- (i) For Members to note the results of public consultation on the proposed modifications to the Merseyside and Halton Joint Waste Local Plan which was undertaken between November 2012 and January 2013.
- (ii) For Members to further note the report from the Planning Inspector which concluded that, subject to the proposed modifications, the Plan “meets the criteria for soundness in the National Planning Policy Framework” and “provides an appropriate basis for waste planning for Merseyside and Halton over the next 15 years”
- (iii) For Members to agree that the Plan be formally adopted as part of the statutory “development plan” under planning legislation and that this should take place on a single date one working day after the last of the six Councils has approved the Plan for adoption.
- (iv) For Members to note that from the date of adoption, several of the adopted Unitary Development Plan saved policies (listed in Table 1 of this Report) will be replaced by Waste Local Plan policies including the site allocations.

2. Introduction

- 1. Government planning policy requires Local Plans to address sustainable waste management. Through Planning Policy Statement 10 (Planning for Sustainable Waste Management) and the National Planning Policy Framework, local authorities, either individually or as a group, are required to put in place a Local Plan that provides a policy framework and land allocations for new waste management infrastructure to meet the identified needs of each Council.
- 2. Following full Council resolutions Halton, Knowsley, Liverpool, Sefton, St. Helens and Wirral entered into a joint arrangement to prepare the joint Merseyside and Halton Waste Local Plan (WLP). Work commenced in 2006 and Merseyside Environmental Advisory Service (Merseyside EAS) has co-ordinated the plan preparation process including several public consultation stages.
- 3. The WLP is primarily focused on (i) providing new capacity and new sites for waste management uses and (ii) delivering a robust policy framework to control waste development. The scope of the WLP is to deal with all controlled waste including commercial and industrial, hazardous, construction, demolition, excavation and local authority collected waste and this amounts to several million tonnes of waste requiring collection, recycling, treatment and disposal each year.
- 4. The WLP aims to deliver significant improvements in waste management across the sub-region whilst also diverting waste from landfill. Specifically, the WLP will, through its land allocations and policies, provide Districts with a high degree of control to direct the waste sector to the most appropriate locations primarily on allocated sites. It will also provide industry with much greater certainty in terms of bringing forward proposals that are more likely to be acceptable to the Districts and is supported by a robust and detailed evidence base.

5. The WLP principally contains:
 - A Vision statement to guide future waste management decision taking over the next 15 years;
 - Strategic objectives and a Spatial Strategy to guide delivery of the Vision;
 - Controlling and enabling Development Management Policies designed to provide certainty in planning decisions;
 - Site allocations for both local and sub-regional sites which are broadly distributed across all six Council areas;
 - An Implementation and Monitoring Framework.

6. Table 1 shows which policies from existing District Unitary Development Plans will be replaced by new policies from the Waste Local Plan

Table 1 - Existing UDP Policies to be Replaced

District	Waste Policies to be Replaced	Date UDP Adopted
Halton	MW3, MW7, MW8, MW9, MW10, MW11, MW12, MW13, MW14, MW15, MW16, MW17, S9	7 April 2005
Knowsley	MW4, MW5, MW6	June 2006
Liverpool	EP3, EP4, EP5, EP6, EP7, EP8	13 November 2002
St Helens	WD1, WD2 (Policies WD3, WD4 & S11 previously deleted)	2 July 1998
Sefton	EMW6, EMW7, EMW8	29 June 2006
Wirral	WMT2, WM1, WM2, WM3, WM4, WM5, WM6, WM7, WM8, WM9 (Policies WMT1 and WM10 previously deleted)	February 2000

7. Following a total of five public consultations at the various stages of WLP preparation, the published WLP was submitted by the six Councils for public examination by an Independent Planning Inspector in February 2012.

8. Public hearings were held over a two-week period by the Planning Inspector, Elizabeth Ord, in June 2012.

3. Agreed Modifications to the Published Plan and Results of Consultation

9. As a result of the Public Examination process, a number of modifications were discussed between the Representors, the Waste Planning Authorities and the Inspector. These were approved by Members between September and November 2012. The modifications were the subject of a further public consultation held between November 2012 and January 2013.

10. During the consultation, 23 representations were received in total from 15 organisations and two individuals. The representations were classified as “positive”, “negative” or “neutral” with respect to the modifications. “Neutral” responses were mainly those which stated that the representor had noted the contents of the consultation but had no comment to make in response. 11 representations were neutral, seven were positive and five were negative.

11. Following consideration of all of the representations received the Inspector decided to recommend no further changes to the Plan as a result of the consultation. The Inspector concluded that the Plan “meets the criteria for soundness in the National Planning Policy Framework”. The WLP itself can be viewed at <http://www.wasteplanningmerseyside.gov.uk>. The Inspector’s report and the full archive of supporting documents can be found at <http://merseysideeas-consult.limehouse.co.uk/portal>. A short report on the consultation responses is attached.

4. Adoption

12. The WLP will need to be formally adopted, like all other statutory planning documents, by each of the six Districts to become part of the adopted statutory development plan. Each District should do this through a Full Council resolution. Because this is a joint plan a single adoption date must be agreed. Given that the Full Council dates vary between Districts it is recommended that adoption takes place on a single date one working day after the last of the six Councils has approved the Plan for adoption. On the basis of the current programme of Full Council meetings this is anticipated during July 2013 (see Table 2 below).

Table 2 - Target Dates for Adoption Meetings

	Target Cabinet Date	Target Council Date
Halton*	23-May	17-Jul
Knowsley*	29-May	26-Jun
Liverpool*	05-Jul	17-Jul
Sefton	20-Jun	27-Jun
St Helens	29-May	10-Jul
Wirral	13-Jun	15-Jul

*provisional dates

13. A similar process as with other land use Plans will be used to advertise the Council’s intention to adopt the WLP (“Notice to Adopt”) depending on local requirements. Members should note that under the Planning and Compulsory Purchase Act 2004 there is a period for possible judicial review which ends six weeks after adoption.
14. Following adoption, progress and compliance with the Plan will be monitored by Merseyside EAS staff and the Districts in accordance with the Implementation and Monitoring Plan.

5. Financial Implications

15. Budgetary provision has already been made to complete the preparation of the WLP including Public Examination and printing costs. The joint preparation of the WLP has not only delivered significant financial savings to the Districts compared to preparing individual waste plans but has also been an effective example of how the Districts have fulfilled their new Duty to Co-operate.
16. Financial implications of implementation and monitoring of the WLP have also already been agreed with each District through the existing planning services and via the joint core

service provided by Merseyside EAS. There is a commitment to regular monitoring and review of the Plan and any financial implications arising will be reported at the appropriate time.

6. Recommendations

- (i) *To note the results of public consultation on the proposed modifications to the Merseyside and Halton Joint Waste Local Plan, which was undertaken between November 2012 and January 2013.***
- (ii) *To welcome the report from the Planning Inspector which concluded that, subject to the proposed modifications, the Plan “meets the criteria for soundness in the National Planning Policy Framework” and “provides an appropriate basis for waste planning for Merseyside and Halton over the next 15 years.”***
- (iii) *To agree that the Waste Local Plan be adopted as part of the statutory development plan by each of the districts on a single date which shall be one working day after the final (sixth) Full Council resolution has been received,.***
- (iv) *To note that several of the adopted Unitary Development Plan saved policies (listed in Table 1 of this Report) will be replaced by Waste Local Plan policies including the site allocations.***
- (v) *To agree to delegate powers in accordance with the scheme of delegation in each district to make necessary minor typographical changes to the Waste Local Plan prior to its final publication.***